

Georgia Department of Natural Resources

2 Martin Luther King, Jr. Drive, 1154 East Tower, Atlanta, Georgia 30334

Noel Holcomb, Commissioner

Environmental Protection Division

Carol A. Couch, Ph.D., Director

404/656-2833 FAX 404/651-9425

October 12, 2005

Ms. Donna Katula
Environmental Engineer
International Paper
Post Office Box 570
Savannah, GA 31402

RE: Concurrence of Exclusion
from RCRA Subtitle C:
Barometric Oil, Arizona Chemical, Sav.
EPA ID# GAD003275252

Dear Ms. Katula:

The Georgia Environmental Protection Division (EPD) received a report from International Paper/Arizona Chemical Company (Arizona Chemical) requesting concurrence of Exclusion from RCRA Subtitle C for Barometric Oil. Barometric oil is currently classified as a hazardous waste at Arizona Chemical's plant in Savannah, Georgia and disposed of in accordance with the State Rules for the Management of Hazardous Waste, Chapter 391-3-11 (which references the Federal 40 CFR regulations).


Based on the information contained in that report, the barometric oil does appear to be suitable as a fuel. We agree that the oil, when used "as-is" as a fuel may be excluded as a hazardous waste. This exclusion, however, appears dependent upon a viable market for the oil. Barometric oil which has no market as a fuel would remain subject to Subtitle C requirements.

In the report, mention has been made (Table 5.5-1) of the comparable fuels rule of 40CFR 261.38. Has the oil been examined, and under that rule, deemed a comparable fuel? Such a determination would be of added benefit in resolving your request for concurrence.

In regard to oil classification as "cutter stock", we are not convinced that this alone is sufficient for exclusion from Subtitle C.

Should you have any questions, comments, or wish to discuss this further, please contact Lornette Harvey or Dave Yardumian at 404-656-2833.

Sincerely,



Mark Smith

Chief

Hazardous Waste Management Branch

DY:ms

File: International Paper: Savannah, Georgia (R)

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